THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

DATED: 08-09-2005

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WRIT PETITION No.19600 OF 2005

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Between:

C.Girish and another . . .Petitioners

And

The Dist. Collector, Hyderabad . . .Respondent

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.19600 OF 2005

O R D E R:

Petitioners claim to have acquired title in respect of land to an extent of 2387 sq.yards, out of 4774 sq.yards of Plot No.8-D in Survey No.129 of Shaikpet, Road No.3, Banjara Hills, under a Will, dated 05-04-2000, said to have been executed by Sri Vegunta Kanaka Ramabrahmam. They filed an application before the respondent on 09-08-2005 with a prayer to grant no objection certificate in respect of the said property with a view to undertake construction

over it. Their grievance is that no orders have been passed thereon, and they seek appropriate directions.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The petitioners approached the respondent for grant of no objection certificate with a view to undertake construction over the land referred to above. According to them, the Municipal Corporation of Hyderabad is insisting for production of no objection certificate to process any application for grant of construction permission.

Though the petitioners have narrated the source of their title, this Court is not inclined to deal with the same at present. Further, the learned Assistant Government Pleader stated that the land in question had been resumed to the Government, since no claimants were forth coming in respect of the same.

The purpose of issuance of no objection certificate is limited. However, while considering the application for grant of such a certificate, the respondent can certainly point out the nature of rights, vis-à-vis, the land, in favour of the Government, or in favour of the petitioners. The application cannot be kept pending indefinitely.

For the foregoing reasons, the writ petition is disposed of directing the respondent to pass appropriate orders on the application dated 09-08-2005 filed by the petitioners, within a period of two months from the date of receipt of a copy of this order.

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(L.NARASIMHA REDDY, J)

8th SEPTEMBER, 2005.

Note: furnish c.c. in two days.

B/o

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